IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.6086 of 2007
Date of Decision: 26.4.2007

Harmesh Singh

Petitioner

versus

Presiding Officer and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Shri Rajesh Punj, Advocate for the petitioner

Jasbir Singh, J. (Oral)

Prayer in this writ petition is to quash the award dated 23.12.2005 (Annexure P/6), passed by the Labour Court, Patiala, declining prayer of the petitioner, to reinstate him in service.

It has been found, as a matter of fact, that the petitioner was working only as a seasonal worker and his contention that after end of the season, he had been working as a *chowkidar/ sewadar*, has been negatived on the ground that no such assertion was made in the claim application and further that even suggestion was not put to the management witness in that regard. We have perused the statement made by MW1. This witness has stated that the petitioner-workman was working as a seasonal labourer. To say so, reliance has been placed on appointment letter Ex.M15. To show that the petitioner had been working as a *chowkidar/ sewadar*, no evidence was produced on record. No application was made, asking the respondent-management, to produce any record in that regard. Before us also, the workman has failed to show any evidence to prove that averment. No case is made out for interference.

Dismissed.

(Jasbir Singh)
Judge

April 26, 2007 **(Rajesh Bindal)**
gk **Judge**